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R E M A R K S

Claims 3-8 and 10-27 were considered in the Office Action. Claims 3-8, 10-17 and 19-26 stand as previously presented. Claim 18 has been amended. Claim 27 has been cancelled.

Claims 3, 5-8, 11 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee, U.S. Patent 6,219,832 in view of Schreiber et al., U.S. Patent 6,438,747 (hereinafter referred to as Schreiber). Claims 18 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee in view of Radigan, U.S. Patent 6,738,967. Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee in view of Schreiber and further in view of Porter, U.S. Patent 6,357,040. Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee in view of Radigan and further in view of Porter. Claims 10 and 12-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee in view of Schreiber and further in view of Blaise et al., U.S. Patent 6,505,344 (hereinafter referred to as Blaise). Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee in view of Radigan and further in view of Bugnion, U.S. Patent 6,704,925. Claims 21-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee in view of Ng, U.S. Patent 6,704,314.

Claims 3, 5-8, 11 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Buzbee in view of Schreiber. However, Schreiber is not a proper reference for a 35 U.S.C. 103 rejection pursuant to the exception of 35 U.S.C. 103(c), because the present application and Schreiber were owned or subject to an obligation of assignment to the same person at the time the invention was made.

MPEP 706.02(1)(1) sets forth rules for 35 U.S.C. 103:

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5 "Effective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." This change to 35 U.S.C. 103(c) applies to all utility, design and plant patent applications filed on or after November 29, 1999."

10 The present application was filed November 13, 2001, thus falling under the rules of MPEP 706.02(1)(1). Schreiber was filed August 20, 1999 and issued August 20, 2002, and would therefore be prior art via 35 U.S.C. 102(e). The application and reference (Schreiber) were, at the time the invention was
15 made, owned by the same person or subject to an obligation of assignment to the same person. Schreiber therefore falls under the exception of 35 U.S.C. 103(c).

MPEP 706.02(1)(3) provides instructions related to common ownership and the like in view of 35 U.S.C. 103 rejections:

20 "Applications and patents will be considered to be owned by, or subject to an obligation of assignment to, the same person, at the time the invention was made, if the applicant(s) or an attorney or agent of record makes a
25 statement to the effect that the application and the reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person(s) or organization(s)."

30 Pursuant to MPEP 706.02(1)(3), the attorney of record hereby states that at the time the invention was made, the application and reference (Schreiber) were owned by or subject to an obligation of assignment to the same organization.

Claims 3 and 26 and the claims depending from claim 3 (claims 4-8 and 10-17) are believed allowable at least because Buzbee does not disclose "annotation information derived from

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references to memory locations", as indicated in the Office
Action mailed June 16, 2005 on page 3.

Claim 18 has been amended to include the same limitation
as claim 3 regarding "annotation information derived from
references to memory locations". For at least this reason,
claim 18 and dependent claims 19-25 are also believed
allowable.

In view of the above, all of the claims are believed to
be in condition for allowance, and the Applicants respectfully
request that a timely Notice of Allowance be issued.

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Respectfully submitted,
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